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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 William Sullivan, et al.,

10 Plaintiffs,

11 v.

12 United States of America,

13 Defendant.
14

No. CV-15-00231-TUC-DCB

ORDER

(AMENDED)

15 A Pretrial Conference was held by this Court on Monday, March 4, 2019. The Court
16 ordered the following:

17 1. This matter is set for a bench trial on **Monday, April 22, 2019, at 9:30 a.m.** for an
18 eight (8) day trial.

19 2. All stipulations between the parties for purposes of trial shall be set forth in
20 writing.

21 3. Motions in Limine: Any motions in limine may be filed by **April 4, 2019**. Any
22 Response shall be filed by **April 10, 2019**. Motions in limine and Responses are limited
23 to 5 pages.

24 4. Trial Briefs: Trial briefs and proposed Findings of Fact and Conclusions of Law
25 shall be filed **twenty-four hours before trial**.

26 5. Exhibits: **The parties shall confer and attempt to reach agreement regarding**
27 **the admissibility of exhibits.** A list of the exhibits to be offered at trial shall be **jointly**
28 submitted to the Court **twenty-four hours before trial** as follows: a) The parties shall list
the exhibits that they agree may be admitted at trial. b) As to contested exhibits, Plaintiff
shall list additional exhibits, and Defendant shall make a brief statement of the objection.

1 Defendant shall list additional exhibits, and Plaintiff shall make a brief statement of the
2 objection.

3 6. The parties shall contact the Courtroom Deputy, Martha Hernandez at (520) 205-
4 4221, regarding the Court's requirements for preparation and presentation of exhibits,
5 exhibit lists and witness lists. *The Court requests that counsel utilize the courtroom*
6 *equipment for presentation of evidence.* Additionally, the parties shall notify the
7 Courtroom Deputy, if they intend to request "Real Time" and/or daily copy transcripts of
8 the trial proceedings.

9 7. Deposition Testimony: The transcripts of deposition testimony to be offered *in the*
10 *case in chief* shall be **jointly** submitted to the Court **twenty-four hours before trial**
11 marked as follows: a) The parties shall meet and stipulate to the excerpts of the deposition
12 testimony which may be read into the trial record and shall mark these by highlighter in
13 *green.* b) As to contested portions of any transcripts, the Plaintiff's excerpts shall be
14 highlighted in *yellow*, and the Defendant's excerpts shall be highlighted in *blue.* c) Each
15 party shall provide corresponding memorandum identifying and explaining the basis for
16 any objections. *Counsel are advised to retain a copy of the marked set of transcripts filed*
17 *with the Court.*

18 8. Pretrial Conference: Motions in limine, any objections to exhibits or deposition
19 testimony, and any other matters which must be resolved for purposes of trial shall be
20 heard by the Court on **Monday, April 15, 2019 at 1:30 pm** in Courtroom 6B, Sixth Floor,
21 Evo A. DeConcini United States Courthouse, 405 W. Congress Street, Tucson, Arizona.

22 Dated this 5th day of March, 2019.

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Honorable David C. Bury
United States District Judge